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TO: Commissioner for Patents

ATTENTION: Examiner Julie A. Schallenger

ART GROUP NO.: 2885

FROM: ☐ Jeffrey A. Proehl ☒ Wanita Jacobsma
☐ Denise Moani NelsonRE: Appln. No. 10/694,105 Filing Date: October 27, 2003
Applicant: Jimmy H. BryanEnclosed: Response to Non-Compliant Amendment; copy of Notice of Non-Compliant
Amendment; corrected claims section of AmendmentTotal Number of Pages (Including cover sheet): 22 (Please call us as soon as possible if you do not
receive all pages).

Certificate of Transmission

I hereby certify that this correspondence is being facsimile transmitted to the Patent and
Trademark Office to 571-273-8300 on September 17, 2007.A handwritten signature in cursive script, appearing to read 'Wanita Jacobsma', is written over a horizontal line.
Signature☐ Jeffrey A. Proehl
☒ Wanita Jacobsma
☐ Denise Moani Nelson

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SEP 17 2007

Attorney's Docket No. 22-0675/30639

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. 10/694,105)
First Named Applicant: JIMMY H. BRYAN)
Filed: October 27, 2003)
For: SYSTEM FOR CONTAINERS,)
RECEPTACLES AND THE LIKE)
TC/A.U.: 2875)
Examiner: Guiyoung Lee)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NON-COMPLIANT AMENDMENT

Responsive to the "Notice of Non-Compliant Amendment" mailed August 29, 2007, applicant submits the following papers:

- 1) a copy of the "Notice of Non-Compliant Amendment" indicating that the claims in this amendment paper have not been presented in ascending numerical order and that there is no claim number 32; and
- 2) the corrected claims section of the AMENDMENT with the former claim 33 being renumbered as claim 32, as well as the corrected Remarks section indicating that claims 30 through 32 have been added.

It is believed that the paper submitted herewith corrects the matter noted in the Notice, and early consideration of the Amendment and allowance is courteously solicited.

Respectfully submitted,

WOODS, FULLER, SHULTZ & SMITH P.C.



Date:

SEPT. 17, 2007

Jeffrey A. Proehl (Reg. No. 35,987)

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40158 e 08/29/2007
WOODS FULLER SHULTZ & SMITH P.C.
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P.O. BOX 5027
SIOUX FALLS, SD 57117

Paper No.

Application No.:	10/694,105 	Date Mailed:	08/29/2007
First Named Inventor:	Bryan, Jimmy, H.	Examiner:	SHALLENBERGER, JULIE A
Attorney Docket No.:	22-0675	Art Unit:	2885
Confirmation No.:	3081	Filing Date:	10/27/2003

Please find attached an Office communication concerning this application or proceeding.

Commissioner for Patents

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No. 10/694,105		Applicant(s) BRYAN, JIMMY H.	
			Art Unit 2800	

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –

The amendment document filed on 20 August, 2007 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
 - ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
 - ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
 - ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
 - ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☒ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: There is no claim 32.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4): For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance, or a drawing submission (only) If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month, or thirty (30) days**, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a Quayle action. If any of above boxes 1 to 4 are checked, the correction required is only the corrected section of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action.

Failure to timely respond to this notice will result in:

- Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a Quayle action; or
- Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Legal Instruments Examiner (LIE), if applicable CORALIA - BETANCOURT Telephone No: (571) 272-0509

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SEP 17 2007

Appln. No. 10/694,105
Amendment dated September 17, 2007
Reply to Office Action mailed March 20, 2007

Attorney's Docket No. 22-0675/30639

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. 10/694,105)
First Named Applicant: JIMMY H. BRYAN)
Filed: October 27, 2003)
For: SYSTEM FOR CONTAINERS, RECEPTACLES)
AND THE LIKE)
TC/A.U.: 2875)
Examiner: SCHALLENBERGER, Julie A.)

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT

Sir:

Responsive to the Office Action mailed March 20, 2007, please amend the application as follows:

Amendments to the Specification: Begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims, which begins on page 3 of this paper.

Amendments to the Drawings: Begin on page 10 of this paper and include an attached replacement sheet.

Remarks/Arguments begin on page 11 of this paper.